1 JONATHAN O. PENA, ESQ. 2 CA Bar ID No. 278044 Peña & Bromberg, PLC 3 3467 W. Shaw Ave., Ste 100 4 Fresno, CA 93711 Telephone: 559-412-5390 5 Fax: 866-282-6709 6 info@jonathanpena.com Attorney for Plaintiff 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF CALIFORNIA 10 11 Case No. 1:25-cv-00041-BAM Ybarra Gonzalez, Cliofas 12 STIPULATION AND |PROPOSED|
ORDER FOR EXTENSION OF Plaintiff, 13 TIME VS. 14 Leland Dudek, ACTING COMMISIONER OF SOCIAL SECURITY<sup>1</sup>, 15 16 17 Defendant. 18 19 20 21 Pending the Court's approval, IT IS HEREBY STIPULATED, by and 22 between the parties through their respective counsel of record, with the Court's 23 approval, that Plaintiff shall have a 60-day extension of time, from April 14, 2025 24 25 1 Leland Dudek became the Acting Commissioner of Social Security on February 16, 2025. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Leland 26 Dudek should be substituted for Michelle King as the defendant in this suit. No 27 further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g). 28

to Juen 13, 2025, for Plaintiff to serve on defendant with PLAINTIFF'S MOTION 1 FOR SUMMARY JUDGMENT. All other dates in the Court's Scheduling Order 2 3 shall be extended accordingly. 4 This is Plaintiff's first request for an extension of time. Plaintiff respectfully states that the requested extension is necessary due several merit briefs being due 5 on the same week. For the weeks of April 14, 2025 and April 21, 2025, Plaintiff's 6 Counsel has eleven merit briefs due. Counsel requires additional time to brief the 7 issues thoroughly for the Court's consideration. Defendant does not oppose the 8 requested extension. Counsel apologizes to the Defendant and Court for any 9 inconvenience this may cause. 10 11 Respectfully submitted, 12 13 Dated: April 2, 2025 PENA & BROMBERG, ATTORNEYS AT LAW 14 15 By: /s/ Jonathan Omar Pena JONATHAN OMAR PENA 16 Attorneys for Plaintiff 17 18 19 Dated: April 2, 2025 JOSEPH T. MCNALLY 20 **United States Attorney** MATHEW W. PILE 21 Associate General Counsel 22 Office of Program Litigation 23 Social Security Administration 24 25 By: \*/s/ Jamala Edwards Jamala Edwards 26 Special Assistant United States Attorney 27 Attorneys for Defendant (\*As authorized by email on April 2, 2025) 28

## **ORDER**

Pursuant to stipulation and good cause appearing, Plaintiff shall serve Defendant with and file Plaintiff's Motion for Summary Judgment on or before **June 13, 2025**. All other dates in the Court's Scheduling Order are extended accordingly.

IT IS SO ORDERED.

Dated: April 3, 2025 /s/ Barbara A. McAuliffe

UNITED STATES MAGISTRATE JUDGE